

IN RE: PETITION FOR RESIDENTIAL VARIANCE\* BEFORE THE  
W/S Sollers Point Road, 75.13' N  
of the c/l of Waymouth Road  
(3304 Sollers Point Road)  
12th Election District  
7th Councilmanic District  
Edith May Souza  
Petitioner  
\* ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 91-164-A

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance to permit a side yard setback of .5 feet in lieu of the required 7.5 feet to construct an open projection (carport), in accordance with Petitioner's Exhibit 1.

The Petitioner having filed a Petition for Residential Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 22-26 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. The Petitioner also has the support of her adjoining affected neighbor, as evidenced by Petitioner's Exhibit 2. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Sections 307.1, 307.2 and 500.14 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

ORDER RECEIVED FOR FILING  
Date 10/17/90  
By JRH

The facts and evidence presented tend to establish that special conditions or circumstances exist which are peculiar to the land or structures located within the Chesapeake Bay Critical Areas of Baltimore County; that to deny the relief requested would result in practical difficulty, unreasonable hardship, or severe economic hardship upon the Petitioner; and that strict compliance with the Chesapeake Bay Critical Area requirements and the B.C.Z.R. would deprive the Petitioner of rights commonly enjoyed by other properties in similar areas within the Chesapeake Bay Critical Areas in Baltimore County. The granting of the relief requested will not confer upon the Petitioner any special privilege that would be denied by the critical area regulations to other lands or structures within the Chesapeake Bay Critical Areas. Clearly, the request is not based upon conditions or circumstances which are the result of the Petitioner's actions, nor does the request arise from a condition relating to land or building use, either permitted or non-conforming, on another property. The relief requested is in harmony with the general spirit and intent of the Critical Areas legislation for Baltimore County and conforms to the requirements as set forth in Section 500.14 of the B.C.Z.R.

In accordance with Section 500.14 of the B.C.Z.R., the Director of the Department of Environmental Protection and Resource Management has submitted recommendations which describe what steps the Petitioner must take to insure that the relief requested complies with the following Chesapeake Bay Critical Areas requirements to:

- 1) Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;
- 2) Conserve fish, wildlife, and plant habitat; and

ORDER RECEIVED FOR FILING  
Date 10/17/90  
By JRH

### CRITICAL AREA 166 PETITION FOR RESIDENTIAL VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Section

1B02.3.C.1 & 301.1 To allow a .5' side yard setback in lieu of 7.5'

to construct an open projection (car port).

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reason:  
(Indicate hardship or practical difficulty)  
SEE ATTACH

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Variance posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/we do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)  
Signature  
Address

City/State/Zip Code  
Attorney for Petitioner:

(Type or Print Name)  
Signature  
Address

Attorney's telephone number

Legal Owner(s):

EDITH MAY SOUZA  
(Type or Print Name)  
Signature  
(Type or Print Name)  
Signature

Address  
City/State/Zip Code

Address  
City/State/Zip Code

Name, address and phone number of legal owner, contract purchaser or representative to be contacted.

Name  
Address  
Phone

Witnessed by the Zoning Commissioner of Baltimore County, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, that the subject matter of this petition is posted on this property on or before the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED, IT IS FURTHER ORDERED by the Zoning Commissioner of Baltimore County, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the property be reported, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock, \_\_\_\_\_ P.M.

ORDER RECEIVED FOR FILING  
Date 10/17/90  
By JRH

ZONING COMMISSIONER OF BALTIMORE COUNTY

3) Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

These recommendations shall be attached hereto and become a permanent part of the decision rendered in this case. There is no evidence in the record that the relief requested would adversely affect the health, safety, and/or general welfare of the public provided there is compliance with the requirements of the Department of Environmental Protection and Resource Management as more fully described below.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 17th day of Oct, 1990 that the Petition for Residential Variance to permit a side yard setback of .5 feet in lieu of the required 7.5 feet to construct an open projection (carport), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2) The proposed carport shall remain open on the three remaining sides. There shall be no conversion of the carport to habitable space.

ORDER RECEIVED FOR FILING  
Date 10/17/90  
By JRH

### AFFIDAVIT

IN SUPPORT OF RESIDENTIAL ZONING VARIANCE

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/so presently or upon settlement will reside at

3304 Sollers Point Road Baltimore Md 21222  
(Address)

That based upon personal knowledge, the following are the facts upon which I/we base the request for a Residential Zoning Variance at the above address: (Indicate hardship or practical difficulty)

That Affiant(s) acknowledge(s) that if protest is filed, Affiant(s) will be required to pay a reporting and advertising fee and may be required to provide additional information.

Affiant (Handwritten Signature)  
EDITH MAY SOUZA  
AFFIANT (Printed Name)  
AFFIANT (Handwritten Signature)  
AFFIANT (Printed Name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 17th day of October, 1990, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Edith May Souza  
the Affiant(s) hereina, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

DATE 10/17/90

Disanna Roberts  
NOTARY PUBLIC  
My Commission Expires: 7-1-94

3) The proposed carport shall be constructed with property rain and gutter spouts which have been erected in such a manner as to deflect water runoff away from any adjoining residential properties.

4) Upon request and reasonable notice, Petitioner shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

IT IS FURTHER ORDERED that the Petitioner shall comply fully and completely with all requirements and recommendations of the Department of Environmental Protection and Resource Management, as set forth in their comments dated November 29, 1990, attached hereto and made a part hereof.

JRH:bjs

J. Robert Haines  
J. ROBERT HAINES  
Zoning Commissioner  
for Baltimore County

ORDER RECEIVED FOR FILING  
Date 10/17/90  
By JRH

- 4 -

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

December 14, 1990

Ms. Edith May Souza  
3304 Sollers Point Road  
Baltimore, Maryland 21222

RE: PETITION FOR RESIDENTIAL VARIANCE  
W/S Sollers Point Road, 75.13' N of the c/l of Waymouth Way  
(3304 Sollers Point Road)  
12th Election District - 7th Councilmanic District  
Edith May Souza - Petitioner  
Case No. 91-164-A

Dear Ms. Souza:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Residential Variance has been granted in accordance with the attached Order.

In the event any Party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

J. Robert Haines  
J. ROBERT HAINES  
Zoning Commissioner  
for Baltimore County

JRH:bjs

cc: Chesapeake Bay Critical Areas Commission  
Towson State Office Building, D-4, Annapolis, Md. 21404

DEPREM

People's Counsel

File



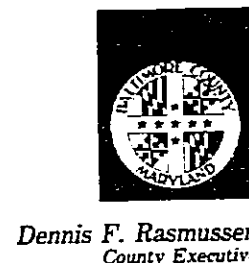
**CERTIFICATE OF POSTING**  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District 10th Date of Posting 11/17/90  
Posted for: Edith May Souza  
Petitioner: Edith May Souza  
Location of property: 3304 Sollers Point Rd. 75.13' N of c/l Waymouth Way  
Location of Signs: Facing Sollers Pt. Rd. 20' E. of c/l way  
Remarks: On property of Baltimore  
Posted by: [Signature] Date of return: 11/23/90  
Number of Signs: 1

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(801) 887-3353  
J. Robert Haines  
Zoning Commissioner

November 7, 1990

Edith May Souza  
3304 Sollers Point Road  
Baltimore, Maryland 21222



Re: CASE NUMBER: 91-164-A  
LOCATION: 75.13' N of c/l Waymouth Way  
3304 Sollers Point Road

Dear Petitioner(s):

Please be advised that your Petition for Residential Zoning Variance has been assigned the above case number. Any contact made to this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before November 21, 1990. The last date (closing date) on which a neighbor may file a formal request for hearing is December 6, 1990. Should such request be filed, you will receive notification that the matter will not be handled through the administrative process. This will mean advertising of the public hearing and reporting of the property. The public hearing will be scheduled approximately 30 - 45 days from receipt of said notice. In either case, (a) receipt of notification that you will have a public hearing or, (b) the passing of the closing date, the sign and post can then be removed from the property and returned to this office. Failure to return the sign and post will cause your order to be held and incur a \$50.00 charge. Please be advised that the Order will not be available for you to pick-up the day you return the sign.

2) Assuming no neighbor has requested a public hearing, the file now enters the final review stage of the administrative process. The Zoning Commissioner must now decide whether to grant or deny the request. He also has the option to request a public hearing.

3) PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Very truly yours,

G. G. Stephens  
(301) 887-3391

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

December 6, 1990

Ms. Edith May Souza  
3304 Sollers Point Road  
Baltimore, MD 21222

RE: Item No. 166, Case No. 91-164-A  
Petitioner: Edith May Souza  
Petition for Residential Variance

Dear Ms. Souza:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

[Signature]  
JAMES E. DYER  
Chairman  
Zoning Plans Advisory Committee

JED:jw

Enclosures

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

Your petition has been received and accepted for filing this  
17th day of October, 1990.

[Signature]  
J. ROBERT HAINES  
ZONING COMMISSIONER

Received By:

[Signature]  
Chairman  
Zoning Plans Advisory Committee

Petitioner: William M. Pitcher, et ux

Petitioner's Attorney:

**CRITICAL AREA**

Account: R-001-6150  
Number: H9100186

No 3633

Date: 10/17/90  
PUBLIC HEARING FEES  
ZONING VARIANCE (IRL) 1 x \$95.00  
FIRST HEARING ADVERTISING 1 x \$25.00  
TOTAL: \$120.00

04A04#0085HCHRC  
BA C010:38A10-18-90  
\$60.00

Please make checks payable to: Baltimore County

**BALTIMORE COUNTY, MARYLAND**  
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines  
Zoning Commissioner  
DATE: December 3, 1990  
FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning

SUBJECT: Edith May Souza, Item No. 166  
Earlie E. and Linda R. Towe, Item No. 170  
Roland H. and Darlene Farlow, Item No. 171  
Kwan Woo Lee, Item No. 173  
Harry E. Belsinger, et al., Item No. 175  
Gary D. and Kathleen M. Stewart, Item No. 178  
Dale A. and Cheryl Polczynski, Item No. 181  
Bruce D. and Mary V. Frith, Item No. 182  
William M. and Constance M. Pitcher, Item No. 185  
Key Federal Savings Bank, Item No. 186  
Stephen D. and Wendy K. Mooney, Item No. 189  
Brian D. and Tullia Briscoe, Item No. 193  
Charles Henry and Vickie Jean Wallis, Item No. 195  
Sharon Plaskowski, Item No. 196  
Gary E. Stahl, Item No. 199  
Keith E. and Terri L. Yeager, Item No. 201  
Robert E. and Deborah L. Jennings, Item No. 202  
Gloria P. Brown, Item No. 203  
Robert E. and Karen F. Ege, Item No. 207  
Javad Darbandi, Item No. 208  
Thomas D. and Jeannette Considine, Item No. 209  
Helen M. Yingling, Item No. 214

In reference to the Petitioners' requests, staff offers no comments.  
If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

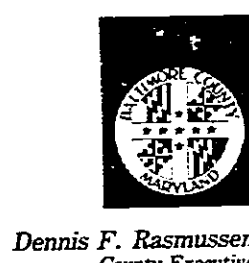
ITEMSMUL.TPL/ZAC1

received  
12/10/90

Baltimore County  
Fire Department  
700 East Joppa Road, Suite 301  
Towson, Maryland 21204-5500  
(801) 887-4500

Paul H. Reincke  
Chief

NOVEMBER 21, 1990



J. Robert Haines  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, MD 21204

RE: Property Owner: EDITH MAY SOUZA  
Location: #3304 SOLLERS POINT ROAD  
Item No.: 166 Zoning Agenda: NOVEMBER 20, 1990

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy. CHAPTER 22

REVIEWER: [Signature] Noted and Approved: [Signature]  
Planning Group Fire Prevention Bureau  
Special Inspection Division

JK/KEK

received  
11/24/90

**BALTIMORE COUNTY, MARYLAND**  
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: November 16, 1990  
FROM: Robert W. Bowling, F.E.  
RE: Zoning Advisory Committee Meeting  
for November 20, 1990

The Developers Engineering Division has reviewed the subject zoning item and has no comments for Items 165, 166, 171, 173, 175, 177, 182, 185, 190, 191, 192, 197 and 198.

Item 184 is subject to the previous County Review Group comments.

[Signature]  
ROBERT W. BOWLING, F.E., Chief  
Developers Engineering Division

RWB:s

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE  
NOVEMBER 15, 1990

received  
11/24/90

TO: J. ROBERT HAINES, ZONING COMMISSIONER, DEPARTMENT ZONING  
FROM: CHARLES E. BURNHAM, PLANS REVIEW CHIEF, DEPARTMENT OF PERMITS & LICENSES  
SUBJECT: ZONING ITEM #: 166  
PROPERTY OWNER: Edith May Souza  
LOCATION: 75.13' N of centerline Waymouth Way (3304 Sollers Point Road) (CRITICAL)  
ELECTION DISTRICT: 17th  
CONCINCILMANIC DISTRICT: 7th

A REVIEW OF THE SITE PLAN FOR THE ABOVE ZONING ITEM INDICATES THE FOLLOWING:

- ( ) PROPOSED SITE PLAN DOES, DOES NOT, COMPLY TO STATE CODE OF MARYLAND REGULATION GS-01.07, MARYLAND BUILDING CODE FOR THE HANDICAPPED.
- ( ) PARKING LOCATION ( ) RAMP (degree slope)
- ( ) NUMBER PARKING SPACES ( ) CURB CUTS
- ( ) BUILDING ACCESS ( ) SIGNAGE
- (X) PLAN DOES, DOES NOT COMPLY TO SET BACKS FOR EXTERIOR FIRE SEPARATION DISTANCE OF ARTICLE 5 AND ARTICLE 9 OF THE CURRENT BALTIMORE COUNTY BUILDING CODE. SEE NOTE BELOW
- (X) A BUILDING PERMIT IS REQUIRED BEFORE ANY CONSTRUCTION CAN BEGIN. SECTION 111.1 OF ARTICLE 1. CONSTRUCTION DRAWINGS MAY BE REQUIRED.
- ( ) A CHANGE OF OCCUPANCY PERMIT IS REQUIRED TO CHANGE THE EXISTING USE OF THE STRUCTURE TO THE PROPOSED USE. SEE ARTICLE THREE AND ARTICLE ONE, SECTION 103.2 ALTERATIONS MAY BE NECESSARY BY CODE TO COMPLY TO NEW USE REQUIREMENTS.
- ( ) STRUCTURE IS SUBJECT TO FLOOD PLAIN LIMITATIONS, SECTION 516.0 COUNCIL BILL #158-88 (BALTIMORE COUNTY BUILDING CODE).
- (X) OTHER - Construction within 25' of an interior property line shall be one half set back

PERMITS MAY BE APPLIED FOR 8 ROOM 100, 111 WEST CHESAPEAKE AVENUE, TOWSON, MARYLAND 21204 - PHONE - 887-3900.

THIS REVIEW COVERS ONLY MAJOR ITEMS ASSOCIATED WITH THE SITE PLAN. A FULL REVIEW MAY BE CONDUCTED WHEN THE PERMIT APPLICATION AND PLANS ARE SUBMITTED.

APPLICABLE CODE: 1987 NATIONAL BUILDING CODES AS ADOPTED BY COUNCIL BILL #158-88.



BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Mr. J. Robert Haines  
Zoning Commissioner

FROM: Mr. Robert W. Sheesley

SUBJECT: Petition for Zoning Variance - Item 166  
Souza Property  
Chesapeake Bay Critical Area Findings

DATE: November 29, 1990

**RECEIVED**  
DEC 13 1990

**ZONING OFFICE**

**SITE LOCATION**

The subject property is located at 3304 Sellers Point Road. The site is within the Chesapeake Bay Critical Area and is classified as a Limited Development Area (LDA).

**APPLICANT'S NAME** Mrs. Edith May Souza

**APPLICANT PROPOSAL**

The applicant has requested a variance from section 1802.3.C.1 and 301.1 of the Baltimore County Zoning Regulations to permit "a five foot side yard setback in lieu of 7.5 feet to construct an open projection (car port)."

**GOALS OF THE CHESAPEAKE BAY CRITICAL AREA PROGRAM**

In accordance with the Chesapeake Bay Critical Area Program, all project approvals shall be based on a finding which assures that proposed projects are consistent with the following goals of the Critical Area Law:

1. "Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have runoff from surrounding lands;
2. Conserve fish, wildlife and plant habitat; and
3. Establish land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts."

<COMAR 14.15.10.01.0>

Memo to Mr. J. Robert Haines  
November 29, 1990  
Page 2

**REGULATIONS AND FINDINGS**

1. Regulation: "A minimum 100 foot buffer shall be established landward from the mean high water line of tidal waters, tidal wetlands, and tributary streams" <Baltimore County Code Sec. 22-213(a)>.

Findings: This property is located approximately 500 feet from the tidal waters of Bullneck Creek. Therefore no disturbance of the tidal buffer shall occur.

2. Regulation: "No dredging, filling, or construction in any wetland shall be permitted. Any wetland must be adequately protected from contamination." <Baltimore County Code Sec. 22-98>

Findings: No tidal or non-tidal wetlands were found on this site, or in the vicinity of the site. Therefore no disturbance of wetlands shall occur.

3. Regulation: "New development and redevelopment within the IDA shall use Best Management Practices or other technology which reduces pollutant loadings by 10% of the on-site level prior to new development or redevelopment." <Baltimore County Code Sec. 22-216>

Findings: The applicant has agreed that in order to comply with the above regulation rooftop runoff shall be directed through downspouts and into Dutch drains or seepage pits (see attached information). This will encourage maximum infiltration of stormwater and will bring this property into compliance with the 10% rule. Infiltration of stormwater is a recommended Best Management Practice in a "Framework for Evaluating Compliance with the 10% Rule in the Chesapeake Bay Critical Area".

In addition the following plant material shall be selected from the enclosed list and planted in addition to existing vegetation.

Tree list: 1 item - minimum 4 foot size

Trees are an important factor in improving water quality. The roots of trees greatly improve the infiltration rate of storm water and efficiently remove nitrogen from subsurface flows of groundwater. Trees also act as both a barrier and a sponge, blocking and absorbing eroding soils and the phosphorous associated with them.

Memo to Mr. J. Robert Haines  
November 29, 1990  
Page 3

**CONCLUSION**

The Zoning Variance shall be conditioned so the project proposal is in compliance with the Chesapeake Bay Critical Area Regulations and Findings listed above.

Upon compliance with Chesapeake Bay Critical Area Regulations, this project will be approved. If there are any questions, please contact Mr. David C. Flowers at 887-2904.

*Robert W. Sheesley*  
Robert W. Sheesley, Director  
Department of Environmental Protection  
and Resource Management

RWS:NSS:ju  
Attachment

cc: The Honorable Ronald B. Hickernell  
The Honorable Norman W. Lauenstein  
The Honorable Dale T. Volz  
Mrs. Janice B. Outen  
Mr. David C. Flowers

**Plat to accompany Petition for Zoning Variance** ☒ **Special Hearing**

PROPERTY ADDRESS: 3304 SELLERS POINT ROAD

Subdivision name: \_\_\_\_\_  
plat book# \_\_\_\_\_ folio# \_\_\_\_\_ lot# \_\_\_\_\_ section# \_\_\_\_\_

OWNER: EDITH MAY SOUZA

*Petitioner's Exhibit 1*

Scale: 1"=100'

**LOCATION INFORMATION**

Councilmatic District: 7  
Election District: 12  
1"=200' scale map# SE-5-E&F

Zoning: \_\_\_\_\_  
Lot size: .11 acreage 5,000 square feet

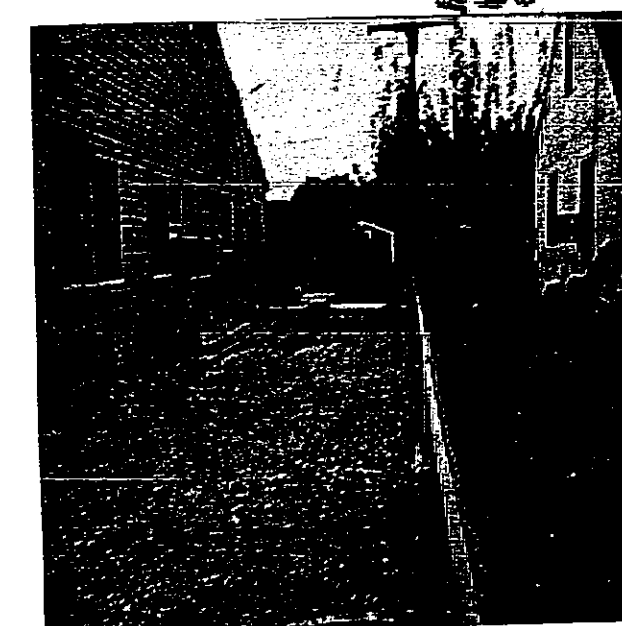
SEWER: ☒ ☐  
WATER: ☒ ☐  
Chesapeake Bay Critical Area: ☒ ☐  
Prior Zoning Hearings: \_\_\_\_\_

**Zoning Office USE ONLY!**

reviewed by: \_\_\_\_\_ ITEM #: \_\_\_\_\_ CASE#: \_\_\_\_\_

North  
date: 12/1/90  
prepared by: R. Gaudin  
Scale of Drawing: 1"= 50'

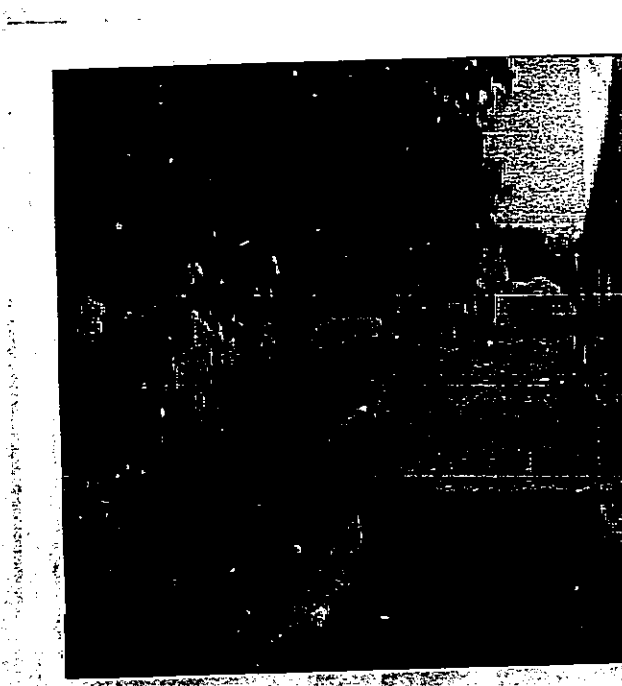
**CASE #: 91-164-A**



1 #166



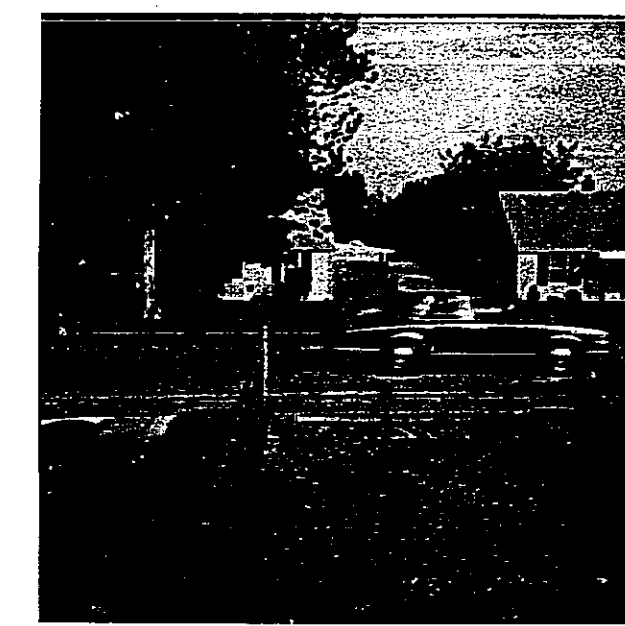
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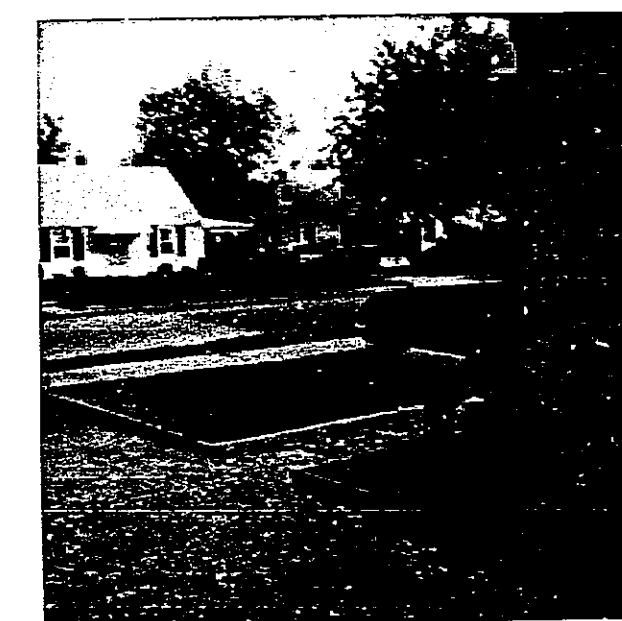
3 #166

**PETITIONER'S EXHIBIT #4**

**CASE #: 91-164-A**



4 #166



5 #166

**PETITIONER'S EXHIBIT #3**

166

CRITICAL AREA

I LIVE AT 3302 SELLERS POINT ROAD AND  
I HAVE LOOKED OVER PROPOSED PLAN TO  
BUILD CAR PORT AT 3304 SELLERS POINT ROAD.  
I HAVE NO OBJECTION AS LONG AS  
THEIR WILL BE A GUTTER SO WATER  
WILL NOT DRAIN ON MY PROPERTY.

Sincerely yours,

*James W. Cherry*

*Petitioner's Exhibit 2*

**91-164-A**

#166

CRITICAL AREA

3304 Sellers Point Rd

1 - 11'6" from House to Property Line

1 and 2 from Front of House

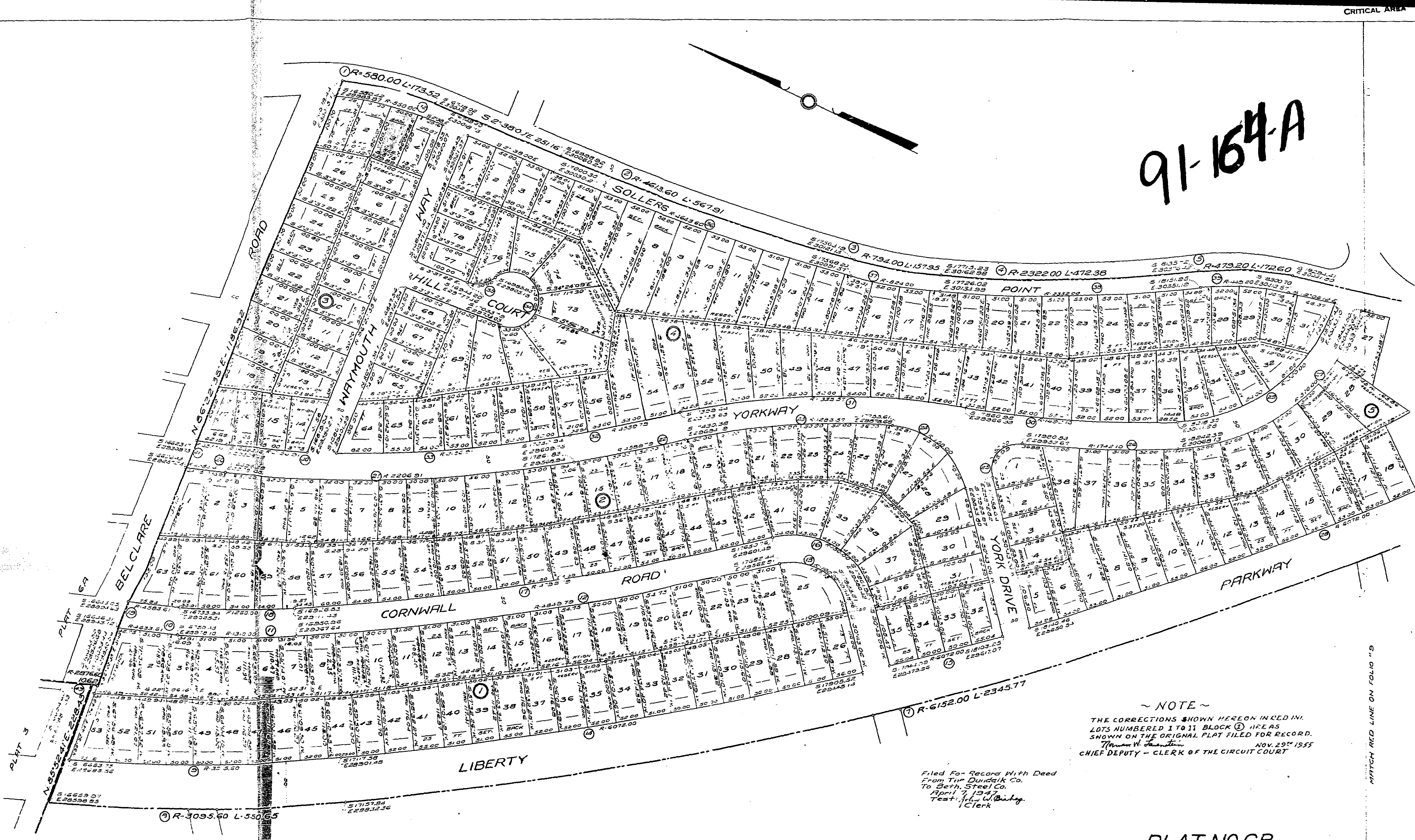
3 - from Back of House

4 and 5 - Three House's in front of my mother's  
House with car port's one closed in

Drive way was black top B.P. + E RT  
new GAS MEAT IN AND TOOK UP DRIVE WAY  
will be put back in BY SPRING

**91-164-A**





NOTE  
THE CORRECTIONS SHOWN HEREON INCORPORATED IN  
LOTS NUMBERED 1 TO 11 BLOCK 1 ARE AS  
SHOWN ON THE ORIGINAL PLAT FILED FOR RECORD.  
Wm. H. Johnston, NOV. 29th 1955  
CHIEF DEPUTY - CLERK OF THE CIRCUIT COURT

Filed for Record With Deed  
From The Dundalk Co.  
To Ruth, Street Co.  
April 1, 1947  
Test: J. C. Bishop  
Clerk

LEGEND  
Roads streets and reserved easements are shown on  
this plat for the purpose of description only and not for  
the purpose of dedication.  
Plat outlines shown thus  
The boundaries of streets and other highways of  
lots and other parcels of land are shown by a solid line.  
For example  
The location of various points are shown according  
to the system of coordinates established by the Topo-  
graphical Survey Commission of Baltimore City, Thos. 316345.67  
Block numbers shown thus  
Lot numbers shown thus  
House setbacks shown thus  
Reservations on lots shown thus

Owners Certificate:  
Certification is hereby made that all the  
requirements of the Annotated Code of Maryland  
Chapter 1016, Acts of 1945 have been complied  
with on this plat.

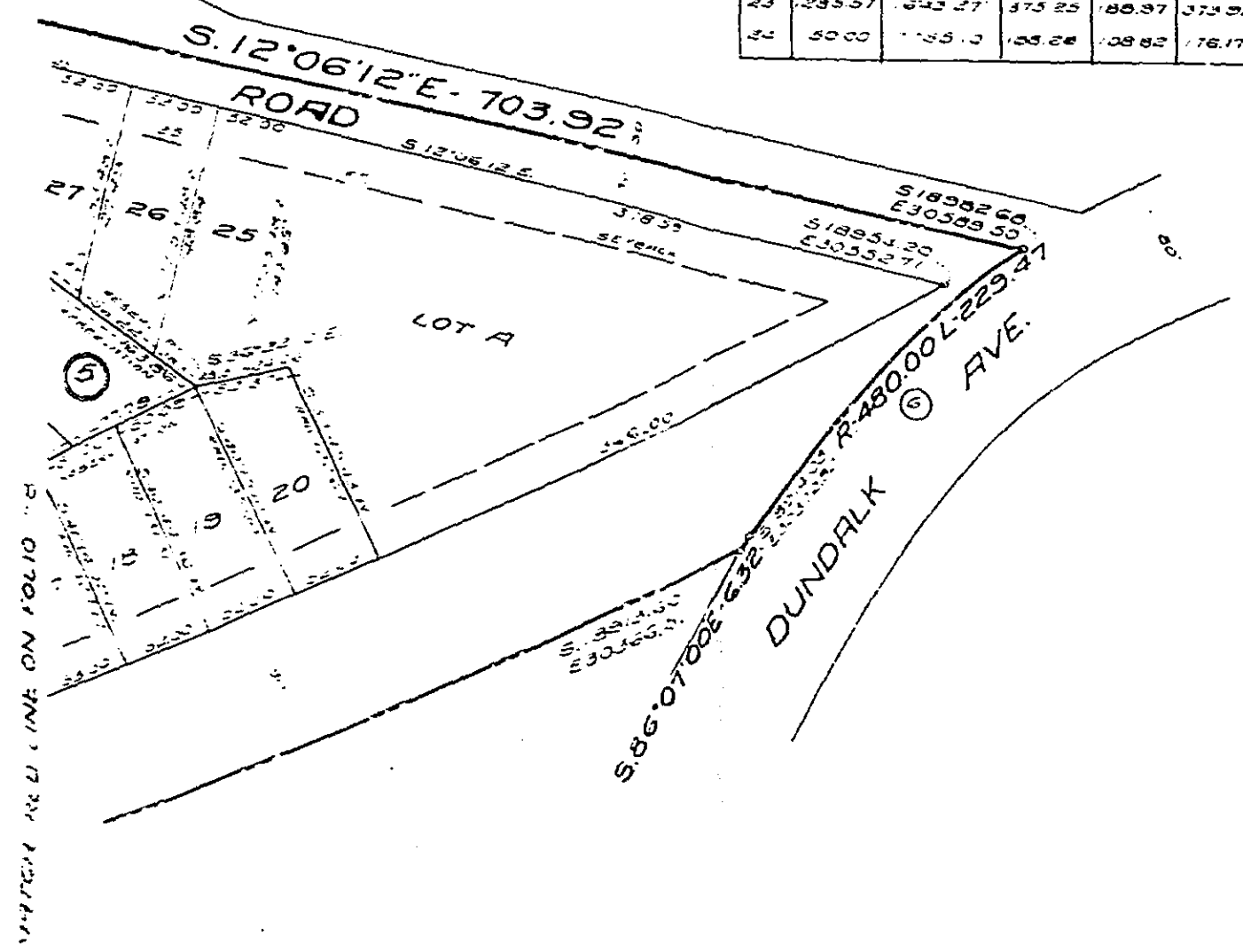
THE DUNDALK COMPANY  
Paul J. Gansley  
1st Vice.

HIGHWAYS DEPARTMENT OF  
BALTIMORE COUNTY  
STREET ALIGNMENT AND LOCATION  
STREET GRADES & STORM DRAINING  
Approved: J. Paul Gansley  
ROADS ENGINEER  
Date: March 12, 1947

PLAT NO. 6B  
OF  
DUNDALK 14/8  
BEING A DEVELOPMENT OF  
THE DUNDALK COMPANY  
DUNDALK - BALTIMORE COUNTY - MD.  
SCALE: 1" = 80 FT. DECEMBER 1946

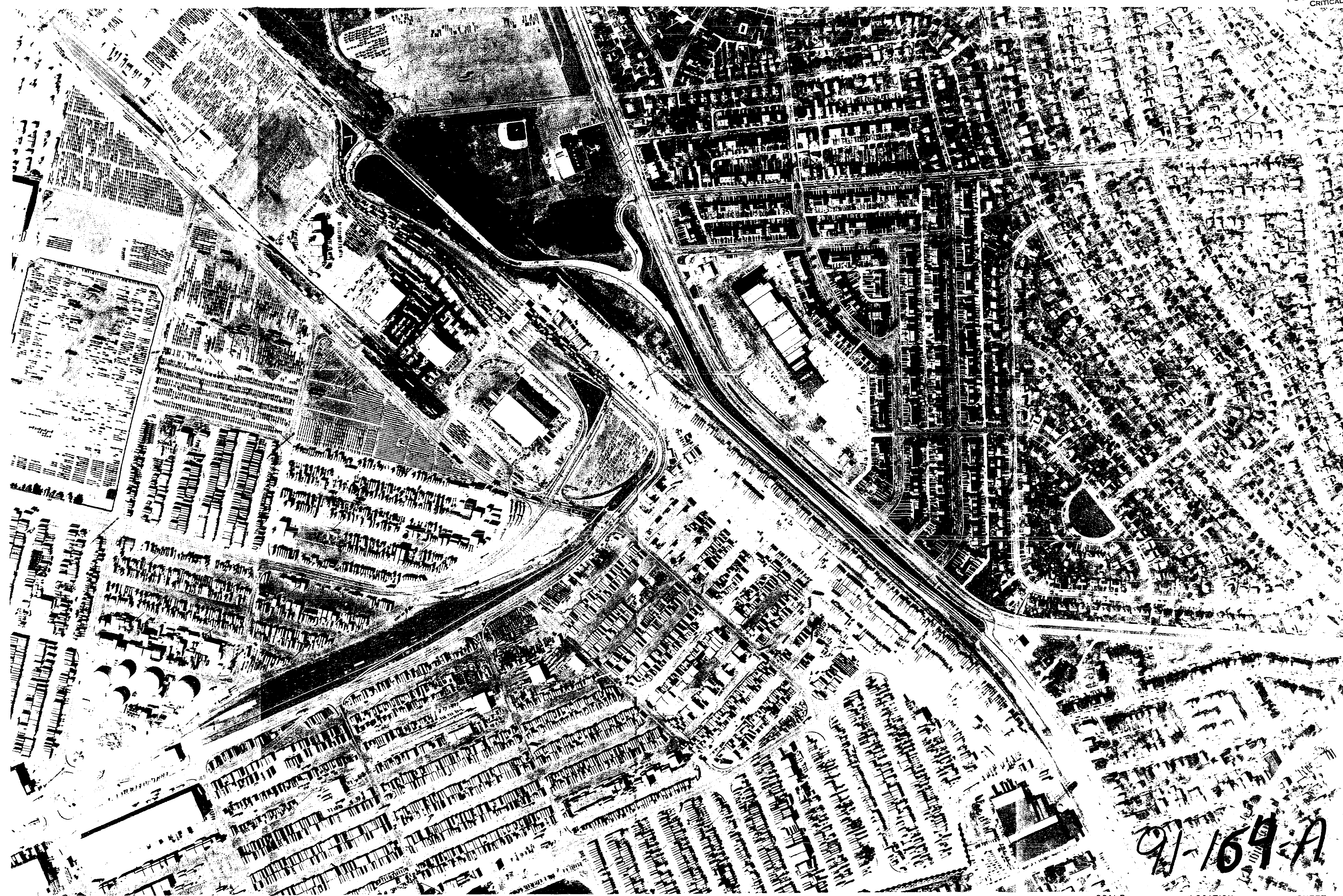
ATTEST: Wm. H. Johnston Paul J. Gansley  
CHIEF DEPUTY - CLERK OF THE CIRCUIT COURT

CURVE DATA						CURVE DATA					
NO.	ORDINATE	Δ	IN	OUT	LC	NO.	ORDINATE	Δ	IN	OUT	LC
25	30.00	100°58'44"	35.83	71.40	11.01	30	30.00	100°58'44"	35.83	71.40	11.01
26	1742.10	3°25'37"	256.63	143.64	286.31	31	1049.10	1°13'33"	151.81	281.31	367.53
27	370.00	60°44'22"	443.90	253.04	417.75	32	3220.00	1°13'33"	151.81	281.31	367.53
28	3075.00	1°13'33"	151.81	281.31	367.53	33	3220.00	1°13'33"	151.81	281.31	367.53
29	330.00	60°44'22"	443.90	253.04	417.75	34	3220.00	1°13'33"	151.81	281.31	367.53
30	1675.10	3°25'37"	256.63	143.64	286.31	35	3220.00	1°13'33"	151.81	281.31	367.53
31	1335.57	2°18'29"	202.20	101.10	101.10	36	3220.00	1°13'33"	151.81	281.31	367.53
32	458.78	2°18'29"	202.20	101.10	101.10	37	3220.00	1°13'33"	151.81	281.31	367.53
33	256.21	1°11'10"	101.10	50.55	50.55	38	3220.00	1°13'33"	151.81	281.31	367.53
34	50.00	1°11'10"	101.10	50.55	50.55	39	3220.00	1°13'33"	151.81	281.31	367.53
35	50.00	60°44'22"	443.90	253.04	417.75	40	3220.00	1°13'33"	151.81	281.31	367.53
36	3220.00	1°13'33"	151.81	281.31	367.53	41	3220.00	1°13'33"	151.81	281.31	367.53
37	3220.00	1°13'33"	151.81	281.31	367.53	42	3220.00	1°13'33"	151.81	281.31	367.53
38	3220.00	1°13'33"	151.81	281.31	367.53	43	3220.00	1°13'33"	151.81	281.31	367.53
39	3220.00	1°13'33"	151.81	281.31	367.53	44	3220.00	1°13'33"	151.81	281.31	367.53
40	3220.00	1°13'33"	151.81	281.31	367.53	45	3220.00	1°13'33"	151.81	281.31	367.53
41	3220.00	1°13'33"	151.81	281.31	367.53	46	3220.00	1°13'33"	151.81	281.31	367.53
42	3220.00	1°13'33"	151.81	281.31	367.53	47	3220.00	1°13'33"	151.81	281.31	367.53
43	3220.00	1°13'33"	151.81	281.31	367.53	48	3220.00	1°13'33"	151.81	281.31	367.53
44	3220.00	1°13'33"	151.81	281.31	367.53	49	3220.00	1°13'33"	151.81	281.31	367.53
45	3220.00	1°13'33"	151.81	281.31	367.53	50	3220.00	1°13'33"	151.81	281.31	367.53





166 CRITICAL AREA



BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.  
MARTINSBURG, W.V. 25401

91-164-A

SCALE	LOCATION	SHEET
1" = 200' ±		
DATE OF PHOTOGRAPHY	DUNDALK	S.E.
JANUARY 1986		S-E